

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARIE CURTO, DIANA LUSARDI and
STEVE LUSARDI,

Plaintiffs,

v.

A COUNTRY PLACE CONDOMINIUM
ASSOCIATION, INC., ABC CORP. 1 to
10, and JOHN DOE 1 to 10.

Defendants.

CIVIL ACTION

Case No.: 3:16-CV-5928 (BRM)(LHG)

ORDER

The United States Court of Appeals for the Third Circuit in its April 22, 2019 Opinion having reversed the January 18, 2018 Judgment and Order of this Court and remanded the case to the District Court to enter summary judgment in favor of the plaintiffs on their claim under the Fair Housing Act, and the Court having reviewed that Opinion, and for good cause shown,

IT IS on this _____ day of _____ 2019,

ORDERED that Plaintiffs' Motion for Partial Summary Judgment (ECF No. 27) is **GRANTED**, on their claims under the Fair Housing Act, and it is further

ORDERED that Defendant's Motion for Summary Judgment (ECF No. 28) is **DENIED**, and it is further

ORDERED that the 2016 pool use fines and violation notices issued by Defendant to Plaintiffs are hereby declared void and unenforceable, and it is further

ORDERED that Defendant is immediately and permanently enjoined from enforcing the 2016 pool schedule, and it is further

ORDERED that this matter shall proceed to trial on the issue of damages under the Fair Housing Act, and it is further

ORDERED that the costs taxed in the Third Circuit in the amount of \$294.20 shall be paid to Plaintiffs within 30 days, and it is further

ORDERED that any further application for costs and counsel fees may be made upon final disposition of this action in accordance with L. Civ. R. 54.1 and 54.2.

HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE